

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 3:11-CR-69
)	
MICHAEL NEAL,)	(PHILLIPS/SHIRLEY)
)	
Defendant.)	

MEMORANDUM AND ORDER

All pretrial motions have been referred to the undersigned pursuant to 28 U.S.C. § 636(b) for disposition or report and recommendation regarding disposition by the District Judge as may be appropriate. The Court held an arraignment for Defendants Merrell Neal, Michael Neal, and Brandon Scott Harris on May 25, 2011. Assistant United States Attorney Tracy L. Stone appeared on behalf of the Government. Attorney Jonathan A. Moffatt was present on behalf Defendant Merrell Neal, who was also present. Attorney Mike Whalen was present on behalf of Defendant Michael Neal, who was also present. Attorney Russell T. Greene was present on behalf of Defendant Harris, who was also present.

Before the arraignment, Attorney Whalen addressed the Court regarding his Motion to Substitute Counsel [Doc. 13]. In his motion, Attorney Whalen requests to relieve Attorney Angela Morelock, who was appointed to represent Defendant Michael Neal during his initial appearance before this Court on May 23, 2011. Attorney Whalen represents that he was retained to represent Defendant Michael Neal. At the hearing, Attorney Whalen advised the Court that discovery had not

been provided by the Government at this point in the case, and therefore, Attorney Morelock had no materials to turn over regarding this matter. Attorney Moffatt and Attorney Greene both stated they had no objection to Attorney Whalen entering the case on behalf of Defendant Michael Neal. In addition, the Government stated that it had no objection to the substitution of Attorney Whalen for Attorney Morelock. The Court also addressed the Defendant who stated that he had retained Attorney Whalen and had no objection to Attorney Whalen entering the case on his behalf.

Based upon this information, the Court finds the Motion to Substitute Counsel [Doc. 13] to be well-taken and is **GRANTED**. The Court hereby **SUBSTITUTES** Attorney Mike Whalen as Defendant Michael Neal's counsel of record.

IT IS SO ORDERED.

ENTER:

s/ C. Clifford Shirley, Jr.
United States Magistrate Judge